

**GROUND WATER MANAGEMENT COMMISSION
ADVISORY TASK FORCE
15TH MEETING
SUMMARY
Friday, January 17, 2003**

Prepared by:

Department of Natural Resources

Office of Conservation

Ground Water Management Staff

Call to Order

Advisory Task Force members in attendance:

Karen Gautreaux, Governor's Office

Bill Branch, LSU Agricultural Center, Designee

Representative William Daniel, Representing the Speaker of the House

Dr. Rene` De Hon, University of Louisiana at Monroe, Geology Department

Charles R. Demas, USGS, Water Resources Division

Timothy W. Duex, University of Louisiana at Lafayette, Geology Department

Henry T. Graham, Jr., Louisiana Chemical Association

Dan Holder, Sabine River Authority

Robert Jackson, New Orleans Sewerage & Water Board

Steve Levine, Association of Public Utilities

Paul "Jackie" Loewer, Louisiana Rice Growers Association

R. Michael Lyons, Mid-Continent Oil & Gas Association

Kyle McCann, Louisiana Farm Bureau

Olevia McDonald, Sparta Ground Water Conservation District

Jeffrey A. Nunn, L.S.U. Department of Geology

Eugene H. Owen, Municipal Water Association

Edmond J. Preau, Red River Compact Commission

Bradley E. Spicer, Soil and Water Conservation

Charles W. Stahr, Louisiana Pulp and Paper Association

Linda M. Walker, League of Women Voters

Michael W. Wascom, Citizens for a Clean Environment

Commissioners in attendance:

Bill Cefalu, Police Jury Association

Brad Spicer, Department of Agriculture and Forestry

Linda G. Zaunbrecher, Farm Bureau

Bo Bolourchi, Department of Transportation and Development – Water Resources

Dean Lowe, Department of Health & Hospitals, Office of Public Health

John Roussel, Department of Wildlife & Fisheries

Steve Chustz, Department of Environmental Quality

Update on Staff Activities

The power point presentation given by Brent Sonnier during the last meeting is posted on the Ground Water Management Commission web site.

Copies of the C. H. Fenstermaker report, *Assistance in Developing a Statewide Water Management Plan, Volumes I, II and III* and the *Statewide Water Management Program – A Plan for Implementation* were delivered and/or mailed to the members of the House and Senate Oversight Committee.

Mr. Tim Seiler and Dr. M. B. Kumar attended the Surface and Ground Water Committee meeting on Thursday, January 16, 2003.

Karen Gautreaux gave a brief report on the Coastal Conference held in New Orleans.

Advisory Task Force Committee Reports

The Surface & Ground Water Committee met on Thursday, January 16, 2003. The topics of discussion were the relationship between surface water/ground water and its impact, the Statewide Water Management Program – A Surface Water Plan, surface water regulations and privatization issues. Discussion included providing the Advisory Task Force with a list of agencies and organizations which permit and control surface water; water quality and TMDL; current users; safety-public health; levy integrity and potential endangered species. The committee did not make recommendations to the Advisory Task Force.

Old Business: Discussion of the *Statewide Water Management Program – A Plan for Implementation*:

Item 4. The registration and permitting of water wells.

Advisory Task Force Questions and Comments

Permit by Exemption

Concerns about duplicating the work presently charged to other agencies were discussed. The consensus was to make the registration and permitting of wells less cumbersome by raising the threshold to 500,000 or 1,000,000 gallons per day. This would allow for easier management and is less costly to the state. The concentration of permitting should be in the areas deemed critical; other wells would be registered. Permitting is regulating and would require public hearings which are expensive. Registration of all wells would allow for information gathering.

There was a recommendation to give notice of exempt wells and to add public supply to exempt wells. There was argument against this because of the large quantity public supply wells pump. Some Task Force members felt the 50,000 threshold proposed in the plan was too low. The Office of Public Health's process will be sent to the Advisory Task Force for review. DHH already investigates the location of wells implying that the GWMC permit would be redundant. It was noted that DHH reviews only the sanitary code of wells. The well information from DHH could be forwarded to the new water agency/division in order to avoid duplication. Some Task Force members did not want permitting in non-critical areas. No consensus was reached.

Drought conditions are not the only concern. Population growth and development are also factors to consider.

General Permit

Karen Gautreaux requested the Technical Committee to develop a report on the impact of 500,000 gallons versus 1,000,000 gallons of water usage. U.S.G.S. is gathering the information on what percent of public supply is sold to industry.

William Daniel reminded those present that these discussions are to hear all concerns. Develop policy concerning aggregate approach, which in installing numerous wells that are individually below threshold but the sum is more than the threshold.

Comments were made regarding other states that use well size as threshold but need to be careful because each aquifer reacts differently.

Administrative Process

In Mississippi there are five positions handling registration. Twenty thousand permits have been issued since 1985 for wells larger than 6". The cost of administering a 3 tier system may be great but a detailed budget has yet to be discussed. Louisiana's new State

Water Agency will supersede local or regional water commissions' authority. Two parishes are currently permitting and setting policies.

The Capital Area Ground Water Commission can issue permits. This commission is not concerned with smaller wells (50k gpd) or Mississippi Alluvial. The new permitting process will not be in addition to; it will be the statewide process.

The question arose about areas having several water bearing sands. Would it apply to one sand or more than one? This needs to be considered.

Individual Permit

Permitting is public involvement – whose responsibility is it for notification? One recommendation is that the staff sends the notice of intent to ensure it is done.

The word “areal” needs to be clarified.

Chicot vs. Evangeline – what effect would a well in Chicot have on Evangeline?

Example: Eunice overlies the Chicot but Evangeline overlies the Chicot and the interconnection is of great concern and may not have been shown in the report. Wells may fail by the domino effect.

Pre-Application Process

A notice would go out to industrial users. The applicant would send out the notice to those who could be affected by the radius of influence. It would take only reasonable effort to contact. A conference would be held only if requested by an interested user. It may go to a hearing from that point.

There were concerns about the applicant notifying adjacent landowners and about the staff size when 90% of the time there may be no problems. It was noted that most positions overlap with other duties. The Legislation only needs to say that notice be provided.

No vote or consensus was reached on any item discussed above.

The question was asked of the agency's/division's right to deny a hearing at the pre-application conference if opposition to a well does not have sound scientific reasons to prohibit the installation. According to C. H. Fenstermaker, Inc., if the parties involved do not reach an agreement at the pre-application conference then a hearing will take place.

Break for Lunch

Old Business: Discussion of the *Statewide Water Management Program – A Plan for Implementation*:

Item 3b. The agency/division structure.

Advisory Task Force Questions and Comments

It was recommended to change the name of the Greater New Orleans Water Resources District to a different name; possibly Southeast Water Resource District.

Why should there be a Greater New Orleans district when this area has no potable groundwater? There are hydrogeologic and political reasons. There is also concern about surface water impacts.

The central agency has staff and funding. What is the funding scheme for the water districts?

There were several recommendations made regarding programs currently under DOTD. Programs used for flood control purposes (surface water) should remain at DOTD. The information is available on the USGS website. There is no problem with moving the ground water programs to the new agency/division. The surface water programs should remain at DOTD for now. The need for wells to be checked will continue to exist as well as plugging wells. Incentives for community wells should be considered.

Questions arose regarding the funding of operating expenses such as vehicles, maintenance on vehicles, tow trucks, salaries and manpower. The recommendation was made to give current DOTD personnel the option to move to the new agency/division. Karen Gautreaux asked Ed Preau of DOTD to list items to be included in the recommendations to the legislature.

Make sure there are enough people and resources to get the job done. There are four DOTD positions associated with the water well program. One position is clerical and needs to stay at DOTD. Water well inspectors have other duties which would leave a gap at DOTD should they transfer to DNR. The districts provide support for Baton Rouge Hq. Only salaries are given by C. H. Fenstermaker as costs for the proposed agency.

Cooperative agreements among state agencies were discussed.

New Business

There will be a joint Legislative Oversight Committee hearing to discuss the Ground Water Management Commission's *Statewide Water Management Program – A Plan For Implementation* on Wednesday, February 5, 2003, at 10:00 a.m. in hearing room # 5.

Public Question and Comment

There were neither questions nor comments.

Schedule of Next Meeting

The Advisory Task Force will meet on Monday, February 3, 2003, at 1:30 p.m. in the Griffon Room of the LaSalle Building. Items for discussion are the responsibilities of the Ground Water Agency/Division, the Water Resource District boundaries and water as a mineral.

Adjourn

The meeting adjourned at 3:45 p.m.